

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )

v. )

FABIAN CALVILLO-SANCHEZ )

Criminal No. 03-40037-NMG

**NOTICE OF INITIAL STATUS CONFERENCE**  
**November 24, 2003**

SWARTWOOD, M.J.

1. Unless counsel inform the court in a Joint Memorandum in accordance with LR 116.5(C) filed **on or before Wednesday, December 31, 2003** that there is no need for an initial status conference, such a conference will be held on Monday, January 5, 2004, at 3:30 p.m. in Courtroom No. 1 on the Fifth Floor, United States District Court, Worcester, MA.<sup>1</sup> **If the Joint Memorandum is not filed with the Court on or before Wednesday, December 31, 2003, then the parties must appear for the initial status conference either in person or by telephone.**
2. If counsel feel that there is need for an initial status conference, then on or before the close of business on Wednesday, December 31, 2003, counsel shall inform the court as to whether they want the status conference to be conducted in person or by telephone.
3. **ALL MOTIONS, MEMORANDUMS, PLEADINGS, ETC. MUST BE FILED WITH THE COURT. FAXES WILL NOT BE ACCEPTED.**

  
CHARLES B. SWARTWOOD, III  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Defendants are not required to be present at the Initial Status Conference. Inasmuch as this court concludes that the Initial Status Conference is not a critical proceeding within the meaning of Rule 43, F.R. Crim. P., defendants in custody will **not** be transported to court for the Initial Status Conference absent a showing of exceptional cause on motion duly filed in advance of the Initial Status Conference, See 43(c)(3), F.R. Crim. P.